

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 4, 7, 9, 12 and 15 have been amended. No claims have been added or canceled. Thus, claims 1-22 are pending.

### CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 12-16, 21 and 22 were rejected as being directed to non-patentable subject matter. Applicants have amended the specification to remove references to propagated signals. Accordingly, Applicants request that the rejection of claims 12-16, 21 and 22 as being directed to non-statutory subject matter be withdrawn.

Claims 1-8 and 17-19 were rejected as not falling within one of the four statutory categories of invention. The independent claims have been modified to recite modification of a graphical user interface for an application. Therefore, the claims are tied to a statutory invention category.

### CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1, 2, 4, 5, 7-10, 12, 13 and 15-22 were rejected as being unpatentable over “An Interface Integrating Eye Gaze and Voice Recognition for Hands-Free Computer Access,” by Hatfield, et al., November 30, 1997 (*Hatfield*) in view of U.S. Patent No. 5,844,824 issued to Newman, et al. (*Newman*). For at least the reasons set forth below, Applicants submit that claims 1, 2, 4, 5, 7-10, 12, 13 and 15-22 are not rendered obvious by *Hatfield* and *Newman*.

Claim 1 recites:

receiving, from an eye interpretation engine, at least an interpretation of eyetracking data corresponding to a plurality of users;  
receiving external context data corresponding to the interactions of the plurality of users with an application, wherein the external context data is related to an operational state associated with a computing device running the application; and  
dynamically modifying a characteristic of a graphical user interface of the application based, at least in part, on the interpretation of the eyetracking data and the external context data.

Thus, Applicants claim use of external context data and eyetracking data from a plurality of users to modify characteristics of a graphical user interface. Claims 4, 7, 9, 12 and 15 similarly recite various embodiments of use of external context data and eyetracking data from a plurality of users.

*Hatfield* discloses a user interface that utilizes both eye gaze data and voice recognition data. This allows a single user to interact with a computer system. *Newman* is cited to teach a system that can be responsive to multiple users. See Office Action at page 8. However, neither reference discloses modifying a graphical user interface based on information from multiple users and external context information. Therefore, no combination of references can teach or suggest the invention as recited in the claims.

Claims 2, 3 and 17 depend from claim 1. Claims 5, 6 and 18 depend from claim 4. Claims 8 and 19 depend from claim 7. Claims 10 and 20 depend from claim 9. Claims 13 and 21 depend from claim 12. Claim 22 depends from claim 15. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 5, 8, 10, 13 and 16-22 are not anticipated by *Hatfield* for at least the reasons set forth above.

Claims 3, 6, 11 and 14 were rejected as being unpatentable over *Hatfield* and *Newman* in view of U.S. Patent No. 6,608,615 issued to Martins, et al. (*Martins*). As

discussed above, no combination of *Hatfield* and *Newman* discloses modifying a graphical user interface based on information from multiple users and external context information. *Martins* is cited to teach monitoring areas not viewed. Without agreeing with the characterization, Applicants submit that even if the assertion is accurate, the resulting combination does not teach or suggest the invention as claimed in claims 3, 6, 11 and 14.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-22 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

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/Paul A. Mendonsa/  
Paul A. Mendonsa  
Attorney for Applicant  
Reg. No. 42,879

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 439-8778